

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of March, 1941.

## H. B. 89

## CHAPTER 194

AN ACT TO APPROPRIATE FUNDS FOR THE PAYMENT OF A JUDGMENT IN THE CASE OF BIG TOM WILSON MOUNT MITCHELL MOTOR ROAD COMPANY, INCORPORATED, VERSUS STATE OF NORTH CAROLINA DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Preamble:  
Right of operating toll roads, etc., upon State Park lands extinguished.

WHEREAS, the General Assembly of North Carolina at its session of one thousand nine hundred and thirty-nine enacted Chapter one hundred and twenty-seven of the Public Laws of one thousand nine hundred and thirty-nine, providing for the extinguishment of the right or privilege to privately operate any toll road or toll bridge in this State upon lands belonging to the State, set apart or designated as a public park; and

Discontinuance of operation of road through Mt. Mitchell State Park ordered.

WHEREAS, it was necessary under the provisions of said Act for the State Department of Conservation and Development of the State of North Carolina to notify Big Tom Wilson Mount Mitchell Motor Road Company, Incorporated, to discontinue the operation through the Mount Mitchell State Park; and

Recovery of judgment against State Department of Conservation and Development.

WHEREAS, under the provisions of said Act, Big Tom Wilson Mount Mitchell Motor Road Company, Incorporated, instituted suit against the State of North Carolina Department of Conservation and Development and recovered judgment in the sum of eight thousand dollars (\$8,000.00), together with costs amounting to sixty-four dollars and fifteen cents (\$64.15); and

Propriety of paying judgment.

WHEREAS, it is necessary and proper that said amount represented by said judgment be paid to the petitioner in said action: Now, therefore,

*The General Assembly of North Carolina do enact:*

Appropriation for paying judgment in favor of Big Tom Wilson Mount Mitchell Motor Road Co.

SECTION 1. That in addition to all other appropriations which are or hereafter may be made to the Department of Conservation and Development, there is hereby appropriated to the Department of Conservation and Development out of the highway fund of this State the sum of eight thousand sixty-four dollars and fifteen cents (\$8,064.15), to be used by said department in paying off and discharging the judgment in favor of Big Tom Wilson Mount Mitchell Motor Road Company, Incorporated.